

03-0-2222

AN ORDINANCE

BY COUNCILMEMBER NATALYN ARCHIBONG



AN ORDINANCE TO AMEND THE CITY CODE OF ORDINANCES CHAPTER 10, ARTICLE II, DIVISION 2, SECTION 10-106, SO AS TO REQUIRE ALL LICENSEES UNDER THIS DIVISION TO VERIFY COMPLIANCE WITH APPLICABLE ZONING LAWS UPON RENEWAL OF THEIR LICENSE; AND FOR OTHER PURPOSES.

WHEREAS, currently the City Code of Ordinances does not require a licensee to verify compliance with parking requirements proscribed in the applicable zoning laws upon renewal of their license; and

WHEREAS, the parking and congestion situation in areas with a high concentration of licensed establishment has become critical and disruptive to the health, welfare and safety of citizens: and

WHEREAS, the City has the power to make, ordain, and establish such bylaws, ordinances, rules, and regulations as shall appear necessary for the security, welfare, convenience, and interest of the city and the inhabitants thereof and for preserving the health, peace, order, and good government of the city

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA:

Section 1

That Section 10-106, which currently states:

Sec. 10-106. Annual renewal; forms.

All licensees under this division shall be required to renew their licenses annually on forms prescribed by the license review board on or before January 1 of the calendar year in which the licensee proposes to operate. All lessees located within any licensed premises shall be subject to this requirement, by submitting a renewal application contemporaneously with the primary renewal submitted by the licensee. The failure of an applicant for renewal to provide the police department with a statement from a certified public accountant evidencing that the location derived less than the percentage established by ordinance of gross receipts from the sale of alcoholic beverages, shall result in the denial of a renewed license. Any person granted a license as a private club under this division of the Code of Ordinances during the calendar year 2001 shall be issued a license effective only for the period of January 1, 2001 through March 31, 2001. All annual fees provided for private clubs shall be prorated accordingly. Any person granted a license as a private club under this division of the Code of Ordinances during

the calendar year 2003 shall be issued a license effective only for the period of January 1, 2003, through June 30 2003, with the annual fees to be prorated accordingly.

Shall be amended as follows:

Sec. 10-106. Annual renewal; forms.

All licensees under this division shall be required to renew their licenses annually on forms prescribed by the license review board on or before January 1 of the calendar year in which the licensee proposes to operate. **All licensees under this division shall be required to provide verification of compliance with the parking space requirements of applicable zoning laws. The failure of an applicant for renewal to provide verification shall result in the denial of a renewed license.** All lessees located within any licensed premises shall be subject to this requirement, by submitting a renewal application contemporaneously with the primary renewal submitted by the licensee. The failure of an applicant for renewal to provide the police department with a statement from a certified public accountant evidencing that the location derived less than the percentage established by ordinance of gross receipts from the sale of alcoholic beverages, shall result in the denial of a renewed license. Any person granted a license as a private club under this division of the Code of Ordinances during the calendar year 2001 shall be issued a license effective only for the period of January 1, 2001 through March 31, 2001. All annual fees provided for private clubs shall be prorated accordingly. Any person granted a license as a private club under this division of the Code of Ordinances during the calendar year 2003 shall be issued a license effective only for the period of January 1, 2003, through June 30 2003, with the annual fees to be prorated accordingly.

Section 2

All ordinances or parts of ordinances in conflict herewith are hereby repealed.